

IT IS SO ORDERED.

Dated: March 2, 2023



Tiiara N.A. Patton
United States Bankruptcy Judge

18-03139

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In Re:

Lemar D. Carlisle, Sr.

Debtor

CASE NO. 18-40034

CHAPTER 13

JUDGE PATTON

(954 Bonnie Brae Avenue, Youngstown OH 44511)

**ORDER UPON AFFIDAVIT GRANTING FINAL RELIEF FROM STAY
TO U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR LEGACY MORTGAGE
ASSET TRUST 2018-GS, DOCKET NUMBER 100**

This matter came on for consideration by the Court upon the Affidavit of Michael P. Ruiz of Rushmore Loan Management Services, LLC, servicing agent for U.S. Bank Trust National Association, as Trustee of Dwelling Series IV Trust, (hereinafter “Movant”) regarding the real estate located at 954 Bonnie Brae Avenue, Youngstown, OH 44511.

The Court finds that:

1. On June 4, 2020, an Order was entered by the Court requiring Debtor to make their monthly mortgage payments and arrearages directly to the creditor and notifying them that failure to do so would result in the Court's removing the automatic stay upon notice and application to the Court.

2. The Debtor is in default under the terms of the Order as attested in the Affidavit of Michael P. Ruiz.

IT IS, THEREFORE, ORDERED that the automatic stay imposed by section 362(a) of the Bankruptcy Code is terminated with respect to execute upon Movant, to foreclose, repossess, replevin or otherwise execute upon its collateral identified in Exhibit A attached hereto and incorporated herein by reference.

IT IS FURTHER ORDERED that the Chapter 13 shall discontinue all payments to Movant on its claim under the Chapter 13 Plan filed by the Debtor. Movant is directed to file a report of sale promptly following liquidation of the real estate located at 954 Bonnie Brae Avenue, Youngstown, OH 44511 (the "Collateral") if any excess proceeds are received. Should Movant seek to file any deficiency claim, Movant shall do so no later than 60 days after this Order is entered. If the Collateral has not been liquidated, the deficiency claim is to be estimated.

IT IS SO ORDERD.

SUBMITTED BY:

Clunk Hoose Co., LPA

/S/ LeAnn E. Covey

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Michael A. Gallo
5048 Belmont Avenue
Youngstown, OH 44505

Office of the U.S. Trustee
Howard Metzenbaum U.S. Courthouse
201 Superior Avenue
Cleveland, OH 44114

EXHIBIT A

Situated in the City of Youngstown, County of Mahoning, State of Ohio, and known as being Youngstown City Lot Number Thirty-Eight Thousand Two Hundred Ninety Two (38292) according to the latest enumeration of lots in said City as recorded in Volume 19 of Plats, Page 92 of Mahoning County Records.

Said lot has frontage of Forty (40) feet on the Northwesterly line of Bonnie Brae Avenue and extends back on its Northeasterly line One Hundred Thirty (130) feet, and on its Southwesterly line One Hundred Thirty (130) feet, having a rear line of Forty (40) feet, as appears by said plat, be the same more or less, but subject to all legal highways.